

**U.S. District Court  
District of Columbia (Washington, DC)  
CIVIL DOCKET FOR CASE #: 1:20-cv-01063-APM**

AMERICAN OVERSIGHT v. U.S. DEPARTMENT OF  
HEALTH AND HUMAN SERVICES et al

Assigned to: Judge Amit P. Mehta

Case: 1:20-cv-01296-APM

Cause: 05:552 Freedom of Information Act

**Plaintiff**

**AMERICAN OVERSIGHT**

Date Filed: 04/23/2020

Jury Demand: None

Nature of Suit: 895 Freedom of  
Information Act

Jurisdiction: U.S. Government Defendant

represented by **Katherine Marie Anthony**  
AMERICAN OVERSIGHT  
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**ATTORNEY TO BE NOTICED**

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V.

**Defendant**

**U.S. DEPARTMENT OF HEALTH  
AND HUMAN SERVICES**

represented by **Amy E. Powell**  
U.S. DEPARTMENT OF JUSTICE  
Civil Division  
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**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Defendant**

**FOOD AND DRUG  
ADMINISTRATION**

represented by **Amy E. Powell**  
(See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Defendant****NATIONAL INSTITUTE OF  
ALLERGY AND INFECTIOUS  
DISEASES**represented by **Amy E. Powell**  
(See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED****Defendant****CENTERS FOR MEDICARE AND  
MEDICAID SERVICES**represented by **Amy E. Powell**  
(See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

Date Filed	#	Docket Text
04/23/2020	<u>1</u>	COMPLAINT against CENTERS FOR MEDICARE AND MEDICAID SERVICES, FOOD AND DRUG ADMINISTRATION, NATIONAL INSTITUTE OF ALLERGY AND INFECTIOUS DISEASES, U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES ( Filing fee \$ 400 receipt number ADCDC-7051401) filed by AMERICAN OVERSIGHT. (Attachments: # <u>1</u> Civil Cover Sheet, # <u>2</u> Summons as to USAO, # <u>3</u> Summons as to USAG, # <u>4</u> Summons as to HHS, # <u>5</u> Summons as to FDA, # <u>6</u> Summons as to NIAID, # <u>7</u> Summons as to CMS)(Monahan, Christine) (Entered: 04/23/2020)
04/23/2020	<u>2</u>	LCvR 26.1 CERTIFICATE OF DISCLOSURE of Corporate Affiliations and Financial Interests by AMERICAN OVERSIGHT (Monahan, Christine) (Entered: 04/23/2020)
04/23/2020		Case Assigned to Judge Amit P. Mehta. (adh, ) (Entered: 04/23/2020)
04/23/2020	<u>3</u>	SUMMONS (6) Issued Electronically as to CENTERS FOR MEDICARE AND MEDICAID SERVICES, FOOD AND DRUG ADMINISTRATION, NATIONAL INSTITUTE OF ALLERGY AND INFECTIOUS DISEASES, U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES, U.S. Attorney and U.S. Attorney General (Attachment: # <u>1</u> Notice and Consent)(adh, ) (Entered: 04/23/2020)
05/21/2020	<u>4</u>	NOTICE of Appearance by Amy E. Powell on behalf of All Defendants (Powell, Amy) (Entered: 05/21/2020)
05/21/2020	<u>5</u>	NOTICE <i>Of Filing Motion to Consolidate</i> by CENTERS FOR MEDICARE AND MEDICAID SERVICES, FOOD AND DRUG ADMINISTRATION, NATIONAL INSTITUTE OF ALLERGY AND INFECTIOUS DISEASES, U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES (Powell, Amy) (Entered: 05/21/2020)
05/26/2020	<u>6</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed as to the United States Attorney. Date of Service Upon United States Attorney on 5/5/2020. ( Answer due for ALL FEDERAL DEFENDANTS by 6/4/2020.), RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed on United States Attorney General. Date of Service Upon United States Attorney General 5/5/2020., RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. CENTERS FOR MEDICARE AND MEDICAID SERVICES served on 5/4/2020; FOOD AND DRUG ADMINISTRATION served on 5/4/2020; NATIONAL INSTITUTE OF ALLERGY AND INFECTIOUS DISEASES served on 5/22/2020; U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES served on 5/4/2020 (Monahan, Christine) (Entered: 05/26/2020)
06/04/2020	<u>7</u>	ANSWER to Complaint by CENTERS FOR MEDICARE AND MEDICAID SERVICES, FOOD AND DRUG ADMINISTRATION, NATIONAL INSTITUTE OF ALLERGY AND INFECTIOUS DISEASES, U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES.(Powell, Amy) (Entered: 06/04/2020)
06/04/2020	<u>8</u>	ORDER. Both a Complaint and an Answer are now before the court in this FOIA case. It is hereby ordered that the parties shall file a Joint Status Report on or before June 18, 2020. See the attached Order for additional details. Signed by Judge Amit P. Mehta on 06/04/2020. (lcapm2) (Entered: 06/04/2020)

06/04/2020		Set/Reset Deadlines: Joint Status Report due by 6/18/2020. (zjd) (Entered: 06/05/2020)
06/18/2020	<u>9</u>	Joint STATUS REPORT by AMERICAN OVERSIGHT. (Attachments: # <u>1</u> Exhibit A (Plaintiff), # <u>2</u> Text of Proposed Order (Plaintiff))(Monahan, Christine) (Entered: 06/18/2020)
06/30/2020		MINUTE ORDER setting a Telephonic Status Conference for July 6, 2020, at 11:00 a.m. The courtroom deputy will circulate dial-in information to counsel. Members of the public or media may access the hearing by dialing the court's toll-free public access line: (877) 848-7030, access code 321-8747. Signed by Judge Amit P. Mehta on 06/30/2020. (zjd) (Entered: 06/30/2020)
06/30/2020	<u>10</u>	NOTICE of Appearance by Sara Kaiser Creighton on behalf of AMERICAN OVERSIGHT (Creighton, Sara) (Entered: 06/30/2020)
07/01/2020	<u>11</u>	NOTICE of Appearance by Katherine Marie Anthony on behalf of AMERICAN OVERSIGHT (Anthony, Katherine) (Entered: 07/01/2020)